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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,374	05/15/2001	Ramesh Keshavaraj	2086B	9494

7590 06/29/2007  
Milliken & Company  
P.O. Box 1927  
Spartanburg, SC 29304

EXAMINER
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SINGH, ARTI R

ART UNIT	PAPER NUMBER
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1771

MAIL DATE	DELIVERY MODE
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06/29/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/855,374

Applicant(s)

KESHAVARAJ, RAMESH

Examiner

Ms. Arti Singh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on RCE files on 04/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/07 has been entered.

***Response to Amendment***

2. The Examiner has carefully considered Applicant's amendments and accompanying remarks dated 04/03/07. In the interview it was believed that Applicant was going to further amend the claims, however no such amendment has been received. Applicant and Examiner both agreed that all other rejections except for the one made to Backhaus USPN 4944529 would be withdrawn. Therefore, with respect to the interview, the rejection made over Backhaus is maintained however, the Examiner is not making this action final, so that Applicant may send in the response as discussed. Applicant's amendments of 04/03/07 have been entered into the file.

***Response to Arguments***

3. All rejections are withdrawn except for the 102 made over USPN 4944529 to Backhaus. Applicant's arguments filed 04/03/07 have been fully considered but they are not persuasive. Applicant's traversal is over the 102 rejection made to USPN 4944529 issued to Backhaus and that their airbag is made from a single blank and not two, and that their embodiment only teaches a trapezoid and not a rectangular shape for a panel. To this the Examiner contends that Applicant is picking and choosing from the cited embodiments. Applicant is directed to the abstract, which specifically states that their airbag cushion is made from no more than two flat blanks cut from web material with little or no waste (abstract). Applicant is also

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directed to Column 2, lines 25-50 where in a preferred embodiment thereof, provides for an inflatable protective cushion comprising a pair of superposed quadrilateral and substantially congruent impact absorbing web members joined to each other along a first pair of opposite margins and extending at a second pair of opposite margins positioned angularly relative to said first pair into side web means folded substantially symmetrically along a fold line positioned between said web members. The quadrilateral web members may be of generally rectangular or trapezoidal configuration. The configuration of the side web means in their flat, spread-out state may be a rectangle, a trapezoid, a triangle, or a trapezium.

Advantageously, upper and lower marginal portions of the side web means are joined to the first pair of opposite margins of the web members. The web members and the side web means may be integral with each other and may be formed into a cushion by no more than two horizontal seams joining said impact absorbing web members along said first pair of opposite margins and two seams extending at predetermined angles relative to said horizontal seams and joining said side web means. In a preferred embodiment, only one vertical seam is required which is advantageously positioned centrally of one of the quadrilateral web members. In a preferred embodiment the vertical seam is positioned centrally of the web member facing in the direction of potential impact. Thus, the arguments are not found to be persuasive and the rejections are maintained and made final.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the

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5. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4944529 issued to Backhaus. Backhaus teaches in a preferred embodiment thereof, provides for an inflatable protective cushion comprising a pair of superposed quadrilateral and substantially congruent impact absorbing web members joined to each other along a first pair of opposite margins and extending at a second pair of opposite margins positioned angularity relative to said first pair into side web means folded substantially symmetrically along a fold line positioned between said web members. The quadrilateral web members may be of generally rectangular or trapezoidal configuration. The configuration of the side web means in their fiat, spread-out state may be a rectangle, a trapezoid, a triangle, or a trapezium. Advantageously, upper and tower marginal portions of the side web means are joined to the first pair of opposite margins of the web members. The web members and the side web means may be integral with each other and may be formed into a cushion by no more than two horizontal seams joining said impact absorbing web members along said first pair of opposite margins and two seams extending at predetermined angles relative to said horizontal seams and joining said side web means. In a preferred embodiment, only one vertical seam is required which is advantageously positioned centrally of one of the quadrilateral web members. In a preferred embodiment the vertical seam is positioned centrally of the web member facing in the direction of potential impact (column 2). In the figures refer to reference number 14 for the opening where the canister is to placed.


### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Arti Singh whose telephone number is 571-272-1483. The examiner can normally be reached on M-T 9-5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Ms. Arti Singh  
Primary Examiner  
Art Unit 1771

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